

January 7, 1975

SENATOR KELLY: Mr. President, dear colleagues, please give me one more minute. LB 586 is not a malpractice bill whatsoever. It is nothing more than doing away with the liability that a particular member of a particular Peer Review committee may experience. We are tossing the word "malpractice" around as though it were really an acceptable noun that everybody understood. It has nothing to do with LB 586. We are just extending to a member of the Peer Review committee, a particular doctor or a professional man on a particular committee. It has nothing to do with malpractice as it affects professions whatsoever. I support the bill.

PRESIDENT: Senator Luedtke, would you care to close debate?

SENATOR LUEDTKE: Yes. Since Senator Kelly is going to support the bill, I don't want to do anything to damage my support but I would like to say that it does indirectly have something to do with malpractice, Senator Kelly, in that, that this kind of slander, if taken very seriously by the professional individual, might, that might affect his malpractice rates in an individual doctor, and then it affects other doctors malpractice rates, and this has been one of the problems that they have had. It is an indirect affect, what we are talking about, not directly. That is what I am saying, one of the things they worry about is the exposure and liability that they would have to cover on their own malpractice because there is no insurance that they can get, and that is the answer to the other part of it. Now, one other thing I would like to say in closing and that is, I am amazed that Senator Burrows would talk about these special interest groups that get immunity. Senator Burrows, don't you know you have immunity on this floor. I have immunity on this floor. Otherwise, we couldn't criticize one another and I couldn't criticize you right now and some of the things that were said just a little while ago between a couple of legislators might be a subject matter of a personal suit for libel or slander or that sort of thing. Now, if that were to occur, we have immunity so that we can feel free to speak to one another, to debate with one another and sometimes wax rather hot and eloquently with one another on a given subject and that is a good thing and that is a good thing for these professionals on Peer Review boards and that is the reason they asked for this bill.

PRESIDENT: Senator Luedtke was closing but, Senator Dworak, your light was on and off. I am going to recognize you. It is off now, all right. Senator Burrows, for what purpose do you arise? All right. The question is, shall the bill be advanced to E & R Initial. Record your vote. Have you voted? Record.

CLERK: 28 ayes, 1 nay. Mr. President, there are some new bills on the desk. LB 682 introduced by the Appropriations Committee and signed by the members thereof. Read title. See page 126, Journal. LB 683 introduced by the Appropriations Committee and signed by the members thereof. Read title. See page 126, Journal. LB 684